

### REMARKS

Claims 34, 41-45, 58-69 are pending. The amendments are fully supported by the original disclosure. They correct typographical errors and, thus, no new matter is added by their entry.

Form PTO-1449 listing documents submitted for consideration by the Examiner is attached. Copies of non-U.S. patent documents are also submitted as herewith. As provided by 37 CFR §§ 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all possible material information. Furthermore, no inference should be made that this information or the cited references are prior art merely because they have been submitted for consideration. Consideration of the foregoing and enclosures, as well as the return of a copy of the Form PTO-1449 with the Examiner's initials per M.P.E.P. § 609, are earnestly solicited.


Reconsideration is requested based on the arguments in the Response filed October 24, 2005. Those arguments and the attached documents show that, in the context of a viral vector, the virus carries a "foreign gene" and the latter's meaning is well known in the art. Therefore, a person skilled in the art would readily understand the metes and bounds of this limitation. Withdrawal of this rejection is requested.

Applicants earnestly solicit an early and favorable examination on the merits. The Examiner is invited to contact the undersigned if any further information is required.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
Gary R. Tanigawa  
Reg. No. 43,180

901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100